

## Chapter 17.12

### ESTABLISHMENTS OF DISTRICTS, BOUNDARIES AND OFFICIAL MAP

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- 17.12.010      Planning commission  
                                 recommendations.**

It shall be a purpose of the planning commission to recommend the boundaries of the various original zoning districts and appropriate regulations to be enforced therein. The commission shall make a preliminary report and hold public hearings thereon before submitting its final report, and the city council shall not hold its public hearing or take action until it has received the final report of the commission. (Ord. 386 § 401, 2002)

- 17.12.020      Districts created.**

For the purpose of this title there are hereby created thirteen (13) types of zoning districts by which the jurisdictional area defined in Section 17.04.020 shall be divided:

AG	Agricultural
A-R	Airport restricted
R-1	Single--family residential
R-2	One and two family residential
R-3	Multifamily residential
R-4	Mobile/Manufactured home park residential
CB	Central business
B-R	Business restricted
HC	Highway commercial
I-1	Light industrial
I-2	Heavy industrial
F	Flood plain
PD	Planned development

(Ord. 386 § 402, 2002)

#### **17.12.030 Official zoning map and boundary interpretation.**

The city is divided into zones, or districts, as shown on the official zoning map, which, together with all explanatory matter thereon, is adopted by reference and declared to be a part of this title. The official zoning map shall be identified by the signature of the mayor, attested by the finance officer and bearing the seal of the city under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 501 of Title No. 386 of the City of North Sioux City, South Dakota," together with the date of the adoption of the ordinance codified in this title. (Ord. 386 § 501, 2002)

#### **17.12.040 Zoning map changes.**

If, in accordance with the provisions of this title, changes are made in the district boundaries or other matter portrayed on the official zoning map, such changes shall be entered on the official zoning map promptly after the amendment has been approved by the city council

with an entry on the official zoning map as follows: "On /date/, by official action of the city council the following /change/changes were made in the official zoning map; brief description of nature of change/," which entry shall be signed by the mayor and attested by the finance officer. No amendment to this title that involves matter portrayed on the official zoning map shall become effective until after such change and entry has been made on said map.

No changes of any nature shall be made in the official zoning map or matter shown thereon except in conformity with the procedures set forth in this title.

Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this title, and punishable as provided under Section 17.100.100.

Regardless of the existence of purported copies of the official zoning map, which may, from time to time, be made or published, the official zoning map which shall be located in the office of the city finance officer shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the city. (Ord. 386 § 502, 2002)

#### **17.12.050      Zoning map replacement.**

In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the city council may, by resolution, adopt a new official zoning map that shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original official zoning map or any subsequent amendment thereof.

The new official zoning map shall be identified by the signature of the mayor, attested by the city finance officer, and bearing the seal of the city under the following words:

"This is to certify that this Official Zoning Map supersedes and replaces the Official Zoning Map adopted /date of adoption of map being replaced/as part of Ordinance No. \_\_\_\_\_ of the City of North Sioux City, South Dakota."

Unless the prior official zoning map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment. (Ord. 386 § 503, 2002)

#### **17.12.060      Rules for interpretation of district boundaries.**

Where uncertainty exists as to the boundaries of zoning districts as shown on the official zoning map, the following rules shall apply:

- A. Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- B. Boundaries indicated as approximately following platted lot lines shall be construed as following such lot line;
- C. Boundaries indicated as approximately following city limits shall be construed as following such city limits;
- D. Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- E. Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
- F. Boundaries indicated as parallel to or extensions of features indicated in subsections A through E of this section shall be so construed. Distances are specifically indicated on the official zoning map shall be determined by the scale of map;
- G. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections A through F of this section, the board of planning commission shall interpret the district boundaries.

When a zoning district boundary line divides a lot which was in single ownership at the time of passage of the ordinance codified in this title, the planning commission may permit, as a permitted conditional use, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the zoning district line into the remaining portion of the lot. (Ord. 386 § 504, 2002)

#### **17.12.070      Zoning of annexed areas.**

Any land annexed to the city after the effective date of the ordinance codified in this title shall be zoned R-I residential. The R-1 residential zoning classification may not be changed until the planning commission and city council shall have studied the area and adopted a final zoning plan for the area. A zoning plan shall be adopted within six months of date of annexation. (Ord. 386 § 2505, 2002)